

REMARKS

Claims 1, 3-5, 7-9, and 11-12 again stand rejected under 35 U.S.C. 102(a) as being anticipated by Colyer (U.S. 6,023,722). Applicants respectfully traverse this rejection for at least the reasons of record, and as follows. The cited reference fails to teach (or suggest) the claimed identifier of the present invention that identifies whether or not a communication connection is established. The Examiner also has not sufficiently rebutted Applicants' arguments pointing out these deficiencies in Colyer.

Because this rejection is merely a repeat of the previous rejection, Applicants maintain and incorporate by reference herein those arguments previously advanced on pages 24 through 28 of Amendment A, filed April 26, 2005. Applicants respectfully request that the Examiner reconsider those arguments, and withdraw this Section 102 rejection. Applicants additionally request that the Examiner consider the following expansions upon the previous arguments.

Applicants respectfully submit that the Examiner has not correctly interpreted the Colyer reference. The Examiner is correct that Colyer discloses a "correlation identifier" (line 45), and that Colyer also establishes a communication connection for a series of communications. The Examiner is incorrect, however, in asserting that Colyer's correlation identifier identifies whether or not the communication connection is established. In fact, Colyer even teaches away from such an interpretation.

Colyer states that a "unique correlation identifier is assigned to each HTTP request as it is received by messaging and queuing unit 31." (Col. 6, lines 45-46). In other

words, Colyer clearly teaches that the identifier cited by the Examiner does not identify that a communication connection for a series of communications has been established, but instead that the identifier merely identifies each request as it is received, irrespective of whether a connection has been established. Accordingly, Colyer's description of the identifier does not support the Examiner's *prima facie* case of anticipation against the present invention.

Colyer's further description of the cited identifier actually teaches away from the Examiner's interpretation. Colyer expressly describes how the received request, after receiving its unique identifier, "is then placed on the request queue of unit 31," and then "waits...until a server 32a-32n which indicated that it was ready to receive a request returns a reply having the assigned correlation identifier to unit 31." (Col. 6, lines 47-51). In other words, Colyer clearly describes that the identifier, that is assigned to each request, is assigned *before* a communication connection (if any) is even established. In fact, the identifier is assigned without requiring that a connection is established. Colyer clearly explains that the correlation identifier identifies the HTTP request, which waits for a return reply, whether or not such a reply is even received. Accordingly, Colyer's correlation identifier cannot identify whether or not a communication connection for a series of communications has been established.

Again, Applicants respectfully remind the Examiner that the claims of the present invention do not merely recite the establishment of a communication connection *and* an identifier. Instead, the independent claims of the present invention all recite that the identifier actually identifies whether or not a communication connection is established. It is the relationship between the identifier and the communication connection that is recited, and not

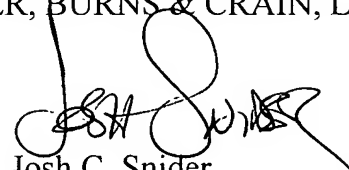
only the *presence* of both elements. Accordingly, for at least these additional reasons, the outstanding Section 102 rejection is respectfully traversed, and should be withdrawn.

For all of the foregoing reasons, Applicants submit that this Application, including claims 1, 3-5, 7-9, and 11-12, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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